

Message

From: Barrett, John [john_barrett@nps.gov]
Sent: 11/1/2018 6:07:22 PM
To: Simes, Benjamin [Simes.Benjamin@epa.gov]; Vitello, Joseph A. [vitello.joseph@epa.gov]
Subject: Fwd: [EXTERNAL] FW: Request for Review - Docket Update #34

Ben and Joe,

This was brought back to my attention. I've reached out to GSA real property disposal to assist with clearing up the question of current ownership of the former Media Nike Missile Battery property.

As noted in the email chain, I surmised back in 2014 that Dept. of Education might be the owner. However, now that I have a little more familiarity with the reversion process for former federal properties, I would guess rather that GSA holds title upon having received the property back (on behalf of the U.S.) in 1988. However, that's just an educated guess. In the early 90's GSA did assign the property to the National Park Service for transfer to Willistown Township, however assignment does not constitute ownership. It only authorizes us (NPS) to transfer the property to a grantee on behalf of the U.S. and pursuant to our deed and program requirements.

Hopefully, GSA can help answer this question so that the docket information is accurate. If GSA cannot, then I'm not sure where else to look.

Regards,

John

John Barrett
Program Manager
Federal Lands to Parks
National Park Service, Southeast Region
100 Alabama St., SW
Atlanta, GA 30303

john_barrett@nps.gov | 404.507.5689

www.nps.gov/flp

----- Forwarded message -----

From: Giusti, Eric <eric_giusti@nps.gov>
Date: Wed, Oct 31, 2018 at 2:35 PM
Subject: Fwd: [EXTERNAL] FW: Request for Review - Docket Update #34
To: John Barrett <john_barrett@nps.gov>

Hi John,

Thanks for calling me back today. Please see the email chain. Seems EPA was looking for confirmation regarding their property docket (Ben Simes email).

I appreciate you resolving this. Take care,

Eric Giusti

Realty Specialist
Northeast Region Land Resources
115 John Street, 5th Floor
Lowell, MA 01852
978-970-5262
eric_giusti@nps.gov

----- Forwarded message -----

From: **Cherry, Jennifer** <jennifer_cherry@nps.gov>
Date: Thu, Oct 25, 2018 at 12:52 PM
Subject: Fwd: [EXTERNAL] FW: Request for Review - Docket Update #34
To: Eric Giusti <eric_giusti@nps.gov>

Hi Eric,
Can you take a look at this email and verify if NPS has any interest in this property?
Thanks
Jen

Jennifer Cherry
Branch Chief, Lands
National Park Service
Northeast Region Land Resources
115 John Street, 5th Floor
Lowell, MA 01852

office: (978) 970-5260
cell: (978) 856-5185
jennifer_cherry@nps.gov

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From: **Hewitt, Kristoffer** <kristoffer_hewitt@nps.gov>
Date: Thu, Oct 25, 2018 at 12:02 PM
Subject: Fwd: [EXTERNAL] FW: Request for Review - Docket Update #34
To: Jennifer Cherry <jennifer_cherry@nps.gov>

Hi Jen - A bit of an odd request here, but is there someone in Lands who can confirm that we don't own anything in Newtown Square, PA? Looks like the address is 1011-1017 Delchester Rd. I'm not sure how NPS got included here - but definitely hoping this is not ours.

Thanks.

-Kris

----- Forwarded message -----

From: **Nottingham, Greg** <greg_nottingham@nps.gov>
Date: Thu, Oct 25, 2018 at 11:11 AM
Subject: Re: [EXTERNAL] FW: Request for Review - Docket Update #34
To: Kristoffer Hewitt <kristoffer_hewitt@nps.gov>
Cc: Shawn Mulligan <shawn_mulligan@nps.gov>

Kris,

Can you confirm for us that the Former Nike Missile Battery Site in Newtown Square, PA, is not on NPS-managed lands? The land ownership opinion in the attachment is from John Barrett of SERO. I don't know why he was involved in a NER lands issue.

Thanks,

Greg



Gregory P. Nottingham
U.S. National Park Service
Contaminants Cleanup Branch (CCB)
greg_nottingham@nps.gov
Office: 303-415-1483
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[CSPortal](#)

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P.O. Box 25287
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On Tue, Oct 16, 2018 at 11:15 AM Lodder, William <william_lodder@ios.doi.gov> wrote:

Hi Greg,

Can you confirm that NPS doesn't own this site? Thanks!

Bill

WILLIAM B. LODDER JR., P.G.

Team Lead, Environmental Cleanup and Liability Management (ECLM) Team
Office of Environmental Policy and Compliance (OEPC)
U.S. Department of the Interior

202-208-6128 (w)

202-731-3064 (c)

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From: **Simes, Benjamin** <Simes.Benjamin@epa.gov>
Date: Tue, Oct 16, 2018 at 11:37 AM
Subject: [EXTERNAL] FW: Request for Review - Docket Update #34
To: william_lodder@ios.doi.gov <william_lodder@ios.doi.gov>

PA0000306310 3 FORMER MEDIA NIKE MISSILE BATTERY PH-75/78 CONTROL
AREA 1011-1017 DELCHESTER ROAD NEWTOWN
SQUARE PA 19073 EDUCATION CERCLA 103 17

Thanks,

Benjamin Simes, CHMM
US EPA, OLEM
Federal Facilities Restoration and Reuse Office
202-564-0527 D
571-302-6189 C
202-564-0771 F

-----Original Message-----

From: Vitello, Joseph A.
Sent: Monday, October 15, 2018 1:40 PM
To: Simes, Benjamin <Simes.Benjamin@epa.gov>
Subject: RE: Request for Review - Docket Update #34

Ben,

See the attached email chain with comments from the National Park Service acknowledging that Education is the owner of the property. NPS believes the ACOE thought they were the owner because they requested access to the property through them. I had forgotten I had an email from NPS confirming that Education was the owner - it's been a number of years since I pursued this site for Docket Listing potential. Revisiting this email, I believe because I never heard back from the NPS contact regarding who the responsible agency would be for submitting a PA on the site, I just simply moved on to other priorities and forgot about it.

We can discuss your conversation with the ACOE and any concerns over this Docket addition at your convenience.

Joseph A. Vitello | Site Assessment Manager Hazardous Sites Cleanup Division Environmental Protection
Agency Region III
1650 Arch Street (3HS12)
Philadelphia, PA 19103
Phone: 215.814.3354 | Fax: 215.814.5518

-----Original Message-----

From: Simes, Benjamin
Sent: Monday, October 15, 2018 9:44 AM
To: Vitello, Joseph A. <vitello.joseph@epa.gov>
Subject: FW: Request for Review - Docket Update #34

Thanks,

Benjamin Simes, CHMM
US EPA, OLEM
Federal Facilities Restoration and Reuse Office
202-564-0527 D
571-302-6189 C
202-564-0771 F

-----Original Message-----

From: Giardina, Antonia R CIV USARMY CEHQ (US) [<mailto:Antonia.R.Giardina@usace.army.mil>]
Sent: Friday, October 12, 2018 3:28 PM
To: Simes, Benjamin <Simes.Benjamin@epa.gov>
Cc: Hudson, Anna M CIV USARMY CEHQ (US) <Anna.M.Hudson@usace.army.mil>; Flaherty, Nancy E CIV USARMY CEHQ (US) <Nancy.E.Flaherty@usace.army.mil>; Evans, Christopher L CIV USARMY CEHQ (US) <Christopher.L.Evans@usace.army.mil>
Subject: RE: Request for Review - Docket Update #34

Benjamin,

Per our phone conversation this morning about the FORMER MEDIA NIKE MISSILE BATTERY PH-75/78 CONTROL AREA site, below is the information I referenced. However, FUDS has completed a PA on the property and we believe that NPS owns the property which is not mentioned in the below description.

The Government acquired total of 108.48 acres. The property was acquired from various landowners through deeds and condemnation proceedings between July 1954 and March 1960. The no acre license was terminated on 7/24/1959.

On 3/29/1963, 2.71 acres fee of the Control Area were excessed to GSA. GSA conveyed the 2.71 acres to William Katz by Quitclaim Deed dated 9/3/1964

12/9/1969 the remaining 57.19 acres fee and 48.58 acres perpetual easement were reassigned to the U.S Army Reserve Center Edgemont (USARC). All acreage not required for USARC use was reported excess. On 6/17/1970 47.93 acres easement were reported excess to GSA which subsequently conveyed 24.07 acres easement to William Ashton and Anne Pepper Ashton by Quitclaim Deed dated 3/21/1973. Accountability for the remaining 23.86 acres easement was assumed by GSA by dated 1/17/1975. On 3/11/1974, 9 acres fee were excessed to GSA.

Of that acres GSA conveyed 2.02 acres fee to the Commonwealth of PA Department of Transportation by Quitclaim Deed dated 12/16/1976. The remaining 6.98 acres fee were assigned to the Department of Health Education and Welfare (HEW) which conveyed the same area to the Great Valley School District by Quitclaim Deed dated 10/20/1976 reserving to the US an easement of 0.26 acres portion of the 6.98 acres fee. The deed to Great Valley School District required the property be used continuously for educational purposes for 30 years. On 2/10/1977, 5.19 acres fee and 0.26 acres easement, the easement which had been reserved from the 6.98 acres, were reported excess to GSA which conveyed the property to the Great Valley School District by Quitclaim Deed dated 3/6/1978. This Deed required that the property be used continuously for educational purposes for period of thirty 30 years. On 8/31/1988 after failing to utilize the property solely for educational purposes, the property owned by the Great

Valley School District reverted back to the US.

Antonia

Antonia Giardina
Deputy Chief, Environmental Division
HQ, US Army Corps of Engineers
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antonia.r.giardina@usace.army.mil

-----Original Message-----

From: Simes, Benjamin [mailto:Simes.Benjamin@epa.gov]
Sent: Wednesday, October 3, 2018 3:59 PM
Subject: [Non-DoD Source] Request for Review - Docket Update #34

Dear Federal Agencies,

The purpose of this communication is to request your review of the most recent proposed additions, deletions, and corrections to the Federal Agency Hazardous Waste Compliance Docket (Docket) Update #34. Pursuant to Section 120(c) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, EPA is required to compile, maintain, update, and publish an accurate Docket. EPA published the initial list of Docket facilities in the Federal Register (F.R.), on February 12, 1988 (53 F.R. 4280). Subsequently, thirty-three updates have been published, the most recent on May 8, 2018.

Reporting sites to the Docket is required by law, and serves a vital function in enabling Congress, EPA, and the public to identify and track the universe of Federal facilities that may pose a threat to human health and/or the environment. As required by statute, the Docket contains information on Federal facilities that is submitted by Federal agencies to EPA under sections 3010 of the Resource Conservation Recovery Act (RCRA - Generator of hazardous waste), 3005 of RCRA (permitting system of treatment, storage, disposal TSD facilities), 3016 of RCRA (biennial inventory of hazardous waste facilities owned or operated by Federal agencies) and sections 103 (a) and (c) of CERCLA (pertaining to known or suspected releases of hazardous substances, pollutants, or contaminants from a Federal facility). Furthermore, it should be noted that these requirements also apply to munitions and explosives of concern (MEC) that are determined by Federal or state regulatory agencies to constitute hazardous wastes under RCRA.

EPA's goal is to ensure that Docket information is as accurate as possible. While every effort has been made to accurately prepare the Docket, the scope of this project presents complexities that may lead to inaccuracies. Your cooperation is required in resolving the difficult problems of determining ownership, status under the Resource Conservation and Recovery Act (RCRA), and similar issues associated with compiling an accurate Docket list.

Please review and comment on the revisions included on the attached list(s). Please include any facilities that need to be added. If you do add any facilities, please include the supporting documentation for those facilities

that you wish to add. We are requesting that you submit your comments by October 11 2018. If your submission is not received by that date, we will assume that you have no comments or additional facilities for inclusion in this update. Furthermore, your agency's facilities which are being proposed for inclusion will automatically be added to the Docket and published in the Federal Register.

If you believe that some of the attached information is incorrect; or if you or your staff have any general policy questions about the procedures for the update; or if you have facilities that need to be added, feel free to contact me.

Thank you for your assistance and response to this request.

V/r,

Benjamin Simes, CHMM

US EPA, OLEM

Federal Facilities Restoration and Reuse Office

202-564-0527 D

571-302-6189 C

703-603-0043 F

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